

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of  
Hansulrich Reisacher et al  
Serial No. 10/501,328  
Filed: July 22, 2004  
For: PIGMENT GRANULES

### DECLARATION

I, Hansulrich Reisacher, Dr. rer. nat., a citizen of the Federal Republic of Germany and residing at Rietburgstrasse 11, 67133 Maxdorf, Germany, declare as follows:

I am a fully trained chemist, having studied chemistry at the University of Munich, Germany, from 1976 to 1986.

I was awarded my doctor's degree by the said university in 1986.

I was a post-doctoral fellow at the University of New Mexico in Albuquerque, U.S.A., from 1986 to 1987.

I worked at BASF L+F of 74354 Besigheim, Germany, from 1988 to 1996 in the field of pigments.

I joined BASF Aktiengesellschaft of 67056 Ludwigshafen, Germany, in 1997, and have since then been working in the field of pigments.

I am one of the inventors of the subject matter disclosed and claimed in Appl. Ser. No. 10/501,328 and am therefore familiar therewith.

I have read and understand the Office Action of November 15, 2005.

In order to show the superiority of the pigment preparations claimed in Appl. Ser. No. 10/501,328 to the pigment preparations disclosed by Nyssen (U.S. 6,646,023) the storage stability of the following pigment preparations was examined under my supervision.

Pigment Preparation 1 (corresponding to Example 12 of Appl. Ser. No. 10/501,328):

- (A) 80 wt-% of C.I. Pigment Red 112
- (B) 20 wt-% of a block copolymer based on ethylenediamine/propylene oxid/ethylene oxide (40 wt-% of EO,  $M_n$  of 12000)

Comparative Pigment Preparation 1C (prepared in an analogous manner to Example 12, but containing a component (B') according to Nyssen):

- (A) 80 wt-% of C.I. Pigment Red 112
- (B') 20 wt-% of a reaction product of hydrogenated castor oil and 35 molar units of ethylene oxide

In order to determine their storage stabilities the color strengths of the pigment preparations were determined colorimetrically in the white reduction (reported in terms of the DIN 55986 coloring equivalents (CE)) in a waterborne emulsion paint as described on page 11 of Appl. Ser. No. 10/501,328 both before and after four-day storage at 40°C.

Lower CE values correspond to higher color strengths and vice versa.

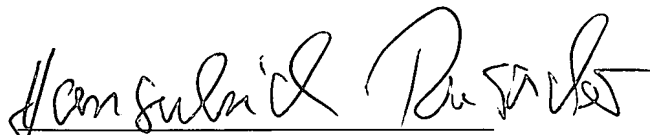
The obtained CE values are summarized in the following table.

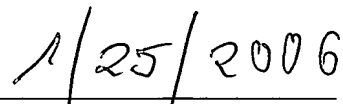
Pigment Preparation	CE without storage	CE after 4 days at 40°C
1	106	109
1C	150	350

These results clearly demonstrate that the color strength of Pigment Preparation 1 according to Appl. Ser. No. 10/501,328, which is already higher than the color strength of Comparative Pigment Preparation 1C in the freshly prepared emulsion paint, remains nearly unchanged during storage whereas the color strength of the Comparative Pigment Preparation 1C radically decreases.

That is, the storage stability of the pigment preparations according to Appl. Ser. No. 10/501,328 is clearly superior to the storage stability of Nyssen's pigment preparations.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

  
Hansulrich Reisacher

  
Date